

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Joint Committee on
Finance
(JC-Fi)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
- 97hr_JC-Fi_Misc_pt07d_DPR
- Record of Comm. Proceedings ... RCP
-

Joint Finance

16.515/16.505

14 Day Passive
Reviews

12/9/97 -

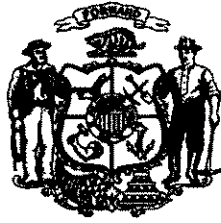
2/9/98

DNR
1/28/18

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

119 MLK, Room 202
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-8535



ASSEMBLY CHAIR
JOHN GARD

315-N Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2343

JOINT COMMITTEE ON FINANCE

January 30, 1998

Secretary Mark Bugher
Department of Administration
101 East Wilson Street, 10th Floor
Madison, Wisconsin 53707

Dear Secretary Bugher:

We are writing to inform you that the Joint Committee on Finance has reviewed your request, dated January 9, 1998, pursuant to s. 16.515/16.505(2), pertaining to a request from the Department of Natural Resources.

The Committee will schedule a meeting to further consider this request. Therefore, the request is not approved at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Burke".

BRIAN BURKE
Senate Chair

A handwritten signature in black ink, appearing to read "John G. Gard".

JOHN GARD
Assembly Chair

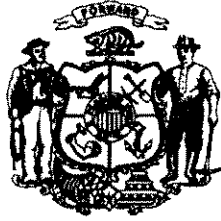
BB/JG/jc

cc: Secretary Meyer, Department of Natural Resources
Bob Lang, Legislative Fiscal Bureau

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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Brian Burke
Representative John Gard
Co-Chairs, Joint Committee on Finance

Date: January 12, 1998

Re: s. 16.515/16.505, Stats. Request

*Gard
objection
1/22/98*

Attached is a copy of a request from the Department of Administration, dated January 9, 1998, pursuant to s. 16.515/16.505 Stats., pertaining to a request from the Department of Natural Resources.

Please review the material and notify **Senator Burke** or **Representative Gard** no later than **Wednesday, January 28, 1998**, if you have any concerns about the request or if you would like to meet formally to consider it.

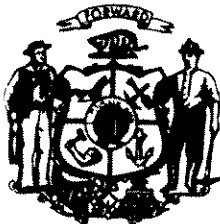
Also, please contact us if you need further information.

Attachment

BB:JG:dh

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864

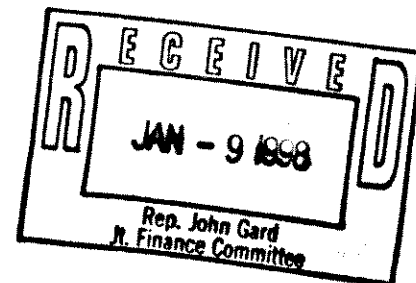
Date: January 9, 1998

To: The Honorable Brian Burke, Co-Chair
Joint Committee on Finance

The Honorable John Gard, Co-Chair
Joint Committee on Finance

From: Mark D. Bugher, Secretary
Department of Administration

Subject: S. 16.515/16.505(2) Requests



Enclosed are requests that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1997-98</u>		<u>1998-99</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DNR 20.370(2)(cg)	Air Management - Recovery of Ozone Depleting Refrigerants	\$18,500		\$37,000	

As provided in s. 16.515, the requests will be approved on February 2, 1998, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Jay Huemmer at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

Date: January 5, 1998

To: Mark D. Bugher, Secretary
Department of Administration

From: Doug Percy ^{DP}
Budget and Policy Analyst

Subject: Request under s. 16.515 from the Department of Natural Resources (DNR) for Limited Term Employees (LTEs) for the CFC (chlorofluorocarbons) Registration Program

REQUEST:

DNR requests increased expenditure authority of \$18,500 PR in FY98 and \$37,000 PR in FY99 in s. 20.370 (2) (cg) (air management - recovery of ozone depleting refrigerants) for two limited term employees for a pilot effort to register noncomplying auto salvage yards and appliance salvagers that remove air conditioner freons during the salvaging operation.

REVENUE SOURCES FOR APPROPRIATION(S):

Section 20.370 (2) (cg) is funded from an annual fee of \$250 on businesses that salvage refrigeration equipment.

BACKGROUND:

CFC-12 (also known by the trade name Freon) is a coolant used in refrigeration units. CFC-12 was widely used in air conditioners for automobiles and trucks for over 30 years. While new vehicles no longer use CFC-12, most vehicles built before 1994 still require its use for servicing. CFC-12 and other chlorofluorocarbons are suspected in depleting the earth's ozone layer.

In 1987, over 150 countries signed a treaty entitled the Montreal Protocol. This treaty stipulates that the production and consumption of compounds that deplete ozone (CFC's, halons, etc.) are to be phased out by 2000. In the United States, the Montreal Protocol is implemented by the Clean Air Act, and regulations issued under the Act ended the production of CFC-12 for air conditioning and refrigeration uses on December 31, 1995.

1989 Wisconsin Act 284 and subsequently NR 488 requires DNR to certify individuals who recycle CFCs. Each individual that registers must utilize approved CFC recovery equipment and must pay an annual fee of \$250. DNR estimates that there are 700 auto and 30 appliance salvagers statewide. In addition, DNR estimates that there are 200 other businesses that salvage refrigeration equipment as part of their servicing activities and are subject to NR 488 regulations. Currently, DNR estimates that 50 percent of these businesses are complying with NR 488 and are paying the registration fee. However, those businesses not participating are technically in violation of state and

federal law and are enjoying a competitive advantage over those businesses that are in compliance.

ANALYSIS:

In the summer of 1997, the CFC registration program hired two half time, limited term employees (LTEs) in an effort to register noncomplying auto salvage yards that remove air conditioner freons during the salvaging operation. Currently, one of these individuals is still employed by the program. These positions were funded through base reallocations within the program.

Additional expenditure authority is now needed because base resources are insufficient to continue funding the two half-time LTE positions. Current expenditure authority for the appropriation is \$116,100 and primarily supports 2.0 PR FTE positions. In FY97, revenues equaled \$95,500 from registration fees. The program currently has a balance of \$101,300.

DNR indicates that the LTEs will initially focus on the southeast and west central DNR regions where an estimated 250 unregistered businesses are operating. DNR officials indicate that approximately 50 additional businesses have been registered through December.

Even with the additional expenditure authority requested, it is estimated that the CFC appropriation will have close to an \$80,000 balance at the end of the biennium (see table below). This balance is predicated on registering 100 non-complying businesses in each fiscal year. This is 80% of the estimated 250 unregistered businesses in the southeast and west central DNR regions.

CFC Registration Program *(Projected Revenues and Expenditures)*

Beginning Balance	\$101,300
FY98	
Base Revenues	\$95,500
New Revenues (100 * \$250)	\$25,000
Sub-Total	\$120,500
Base Expenditure Authority	\$116,100
New Expenditure Authority Requested <i>(Half Year)</i>	\$18,500
Sub-Total	\$134,600
<i>FY98 Ending Balance</i>	<i>\$87,200</i>
FY99	
Base Revenues	\$120,500
New Revenues (100 * \$250)	\$25,000
Sub-Total	\$145,500
Base Expenditure Authority	\$116,100
New Expenditure Authority Requested <i>(Full Year)</i>	\$37,000
Sub-Total	\$153,100
<i>FY99 Ending Balance</i>	<i>\$79,600</i>

As the table below indicates, projected expenditures for the two new half time LTE positions are comprised of salary, fringe benefits, and supplies and services. Because the LTEs will be traveling extensively, additional funding is allocated for supplies and services. Supplies and services funding will be used to meet extensive traveling costs, and to defray extra expenses incurred by regional wardens in supporting the LTE's efforts and in issuing citations to the businesses that refuse to comply with CFC registration requirements.

Annualized Expenditures
(Additional LTEs)

LTE Salaries	\$28,000
Fringe Benefits	\$3,400
<u>Supplies and Services</u>	<u>\$5,600</u>
Total	\$37,000

RECOMMENDATION:

Approve the request.

REVISED VERSION

DATE: December 11, 1997 FILE REF: 4520

TO: Richard G. Chandler, Director
State Budget Office
Department of Administration

FROM: George E. Meyer, Secretary
Department of Natural Resources

SUBJECT: Program Revenue Appropriation Supplement Under s. 16.515 Wis. Stats., for
the Bureau of Air Management

REQUEST

The Department requests increased expenditure authority of \$18,500 PR in FY 98 (starting Jan. 1998) and \$37,000 PR in FY 99 (for two half-time LTEs and their Supplies and Services) in appropriation 20.370(2)(cg), numeric 223. The LTEs will be working on a pilot effort to register noncomplying auto salvage yards that remove air conditioner freons (chlorofluorocarbons - CFC) during the salvaging operation. The request would be funded from the available program cash balance in the appropriation.

BACKGROUND

The CFC registration program for auto salvage yards and appliance salvagers, over the last few years, has not had the compliance attention that is necessary to get the regulated community in greater compliance with ch. NR 488, Wis. Administrative Code. Funds have been available, but additional staff time from existing resources has not been available. Two FTEs are funded for this statewide program.

There are approximately 700 auto and 30 appliance salvagers statewide, and about 200 others who salvage refrigeration equipment as part of their servicing activities and thus come under the NR 488 regulations. As of July 1, 1997, there was about a 50% compliance rate with the registration requirements in NR 488 and the Department has been continually queried by the regulated community's trade organizations (i.e. Concerned Auto Recyclers of Wisconsin) about requiring the entire industry to come into compliance with NR 488. Most of these salvagers can be considered small businesses.

Each business that becomes registered must utilize approved CFC recovery equipment and certified operators, pay an annual fee of \$250, and recover the CFCs in the refrigeration equipment prior to servicing, dismantling or salvaging the equipment (those businesses that

service equipment but infrequently salvage and are regulated by other state/federal CFC programs pay a reduced fee of \$125 annually). The proposed pilot effort, for most of 1998, is to have an LTE in the West Central Region (WCR) and an LTE in the Southeast Region (SER) visit the nonregistered salvage businesses and determine if the business is required to be registered under NR 488. For those businesses that need to be registered, the LTE will explain the requirements and provide information and forms so that the business can become properly registered, follow-up the visit with a Letter of Noncompliance (LON) and give the business 30 days to comply. For those businesses that have not registered, within the 30 days, the LTE will contact the business to find out their registration status and for those businesses that still remain unregistered, will work with a regional warden to potentially issue a \$750 citation to the noncomplying business. In late 1998 and through June of 1999, the compliance effort would be expanded to the entire state.

ANALYSIS OF NEED

Fiscal Analysis - The existing expenditure and fee collection authority for the CFC program in s. 285.59, Wis. Stats. allows for two FTEs (one FTE in the bureau and one FTE distributed over the five regions) to operate the statewide CFC program. The program generates approximately \$95,000 annually to support the two FTEs salary and their needed supplies and services. This revenue is presently adequate to fund the two FTEs but the limited Department compliance efforts are not fair or equitable to those businesses complying with the regulations. Nor is the staffing adequate to operate the CFC registration program for greater compliance.

Each time a business is registered, the program receives \$250 annually. If 90% of the businesses continued to salvage refrigeration equipment after this compliance effort, the program would generate about \$187,000 annually. The FY 98-99 pilot effort will focus initially on the SER's and WCR's estimated 250 unregistered businesses operating in these two regions and expand to the rest of the state by the end of FY 99. This additional revenue will clearly offset the proposed one-time FY 98-99 pilot effort of \$55,500.

Need for Additional Supplies and Services - The two LTEs will be field positions with little time spent in the regional office. Their efforts will focus on getting the salvaging businesses into compliance with the CFC registration and recycling requirements in NR 488 by visiting each salvaging businesses and helping the small business gain compliance. The additional supplies and services money will also be used to defray extra expenses incurred by regional wardens in supporting the LTE's efforts and in issuing citations to the businesses that refuse to comply with NR 488. It is expected that additional mileage and support costs for each LTE would be \$2,800 annually; \$2,800 is requested for FY 98 and \$5,600 for FY 99 and is included in the request.

REVENUE SUMMARY

Potential Annual Revenues w/ Greater Compliance

Type of Business	Total Number	Fee \$	Revenue at 90% Registration
Auto Salvagers	700	250	\$ 157,500
Appliance Salvagers	30	250	\$ 6,750
Part-time Salvagers	200	125	\$ 22,500
Total			\$ 186,750 annually

Summary of Actual Appropriation 223 Activity

Year	Revenue \$	Expenses \$	Balance \$
1994	70,375	6,016	64,359
1995	87,275	62,401	89,233
1996	93,250	82,943	99,540
1997	95,450	93,730	101,260
1998*	50,750		

* Revenue from July through November 25, 1997

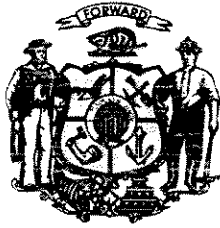
Upon final DOA action, please have Doug Percy notify Dan Derr, DNR-FN/1, 266-1974 when approved or denied.

If you have any questions on this request, please contact Mike Bormett, MB/5 (267-7418) or John Melby, AM/7 (264-8884). Thank you for your consideration of this matter.

CC: Bob Belongia - AM/7
Mike Bormett - MB/5
Lloyd Eagan - AM/7
Dan Derr - FN/1
Caroline Garber - AM/7
John Melby - AM/7
Paul Willihnganz - PE/5
Doug Percy - DOA

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864

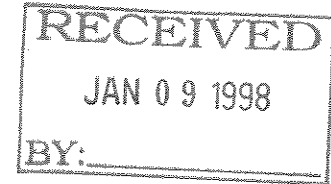
Date: January 9, 1998

To: The Honorable Brian Burke, Co-Chair
Joint Committee on Finance

The Honorable John Gard, Co-Chair
Joint Committee on Finance

From: Mark D. Bugher, Secretary
Department of Administration

Subject: S. 16.515/16.505(2) Requests



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Please contact Jay Huemmer at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

Date: January 5, 1998

To: Mark D. Bugher, Secretary
Department of Administration

From: Doug Percy ^{DP}
Budget and Policy Analyst

Subject: Request under s. 16.515 from the Department of Natural Resources (DNR) for Limited Term Employees (LTEs) for the CFC (chlorofluorocarbons) Registration Program

REQUEST:

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REVENUE SOURCES FOR APPROPRIATION(S):

Section 20.370 (2) (cg) is funded from an annual fee of \$250 on businesses that salvage refrigeration equipment.

BACKGROUND:

CFC-12 (also known by the trade name Freon) is a coolant used in refrigeration units. CFC-12 was widely used in air conditioners for automobiles and trucks for over 30 years. While new vehicles no longer use CFC-12, most vehicles built before 1994 still require its use for servicing. CFC-12 and other chlorofluorocarbons are suspected in depleting the earth's ozone layer.

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ANALYSIS:

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As the table below indicates, projected expenditures for the two new half time LTE positions are comprised of salary, fringe benefits, and supplies and services. Because the LTEs will be traveling extensively, additional funding is allocated for supplies and services. Supplies and services funding will be used to meet extensive traveling costs, and to defray extra expenses incurred by regional wardens in supporting the LTE's efforts and in issuing citations to the businesses that refuse to comply with CFC registration requirements.

Annualized Expenditures

(Additional LTEs)

LTE Salaries	\$28,000
Fringe Benefits	\$3,400
<u>Supplies and Services</u>	<u>\$5,600</u>
Total	\$37,000

RECOMMENDATION:

Approve the request.

CORRESPONDENCE/MEMORANDUM**State of Wisconsin****REVISED VERSION**

DATE: December 11, 1997 FILE REF: 4520

TO: Richard G. Chandler, Director
State Budget Office
Department of Administration

FROM: George E. Meyer, Secretary
Department of Natural Resources

SUBJECT: Program Revenue Appropriation Supplement Under s. 16.515 Wis. Stats., for
the Bureau of Air Management

REQUEST

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